

**INDIAN RIVER COUNTY, FLORIDA  
MEMORANDUM**

**TO:** Jason E. Brown, County Administrator

**THROUGH:** Richard B. Szyrka, P.E., Public Works Director  
James W. Ennis, P.E., PMP, Asst. Public Works Director

**FROM:** Kirstin Leiendecker, P.E., Roadway Production Engineer

**SUBJECT:** **Amendment No. 1 to RFQ No. 2019040 (IRC-0853), Consor Engineers, LLC  
CEI Services for 43<sup>rd</sup> Avenue from 18<sup>th</sup> Street to 26<sup>th</sup> Street  
FDOT FM No. 431759-2-54**

**DATE:** October 28, 2022

**DESCRIPTION AND CONDITIONS**

On March 20, 2017, the Board of County Commissioners entered into an Agreement with the Florida Department of Transportation to provide the County with financial assistance under Financial Management (FM) No. 431759-2-54-01 for Construction and Construction Engineering Inspection (CEI) Services for intersection improvements at SR-60 & 43<sup>rd</sup> Avenue through its County Incentive Grant Program Agreement (CIGP) which shares 50% equal funding. This CIGP Agreement also required the County to hire a FDOT prequalified consultant firm to perform Construction Engineering Inspection (CEI) Services as defined in the Agreement.

On June 11, 2019 the County awarded CEI Services to Consor Engineers, LLC for a total lump sum amount of \$2,452,760.67 which was to cover the construction period of 720 days or 24 months.

The purpose of Amendment No. 1 is to compensate Consor Engineers, LLC for delays occurring during construction. The Notice to Proceed was issued to the Contractor on February 24, 2020, with final completion scheduled for February 12, 2022. Due to delays associated with FPL's utility relocation schedule and unplanned repairs to the FDOT SR-60 drainage trunk line, the revised contract completion date is scheduled for January 2023, adding approximately 11 months to the original expected construction period.

Consor has submitted a cost analysis (Exhibit A) for compensation in a total amount of \$286,554.32 which is comprised in two parts. Part 1, in the amount of \$126,604.77 represents the actual cost during the period associated with the 87-day delay for the FDOT 54-inch drainage trunk line repair. Part 2, in the amount of \$159,949.55 represents projected costs to complete the project associated with other delays, including the FPL relocations. This would increase the CEI contract with Consor to \$2,739,314.99.

**FUNDING**

Funding is programmed into the 2022 Capital Improvement Elements, which is being presented to the Board of County Commissioners on December 6, 2022. Funds will be budgeted and available in Optional Sales Tax//43<sup>rd</sup> Avenue from 18<sup>th</sup> Street to 26<sup>th</sup> Street Account No. 31521441-066510-06041 in the amount of \$286,554.32.

**RECOMMENDATION**

Staff recommends approving Amendment No. 1 to the Agreement with Consor Engineers, LLC, and requests the Board authorize the Chairman to execute Amendment No. 1 to the Agreement on their behalf for a lump sum amount of \$286,554.32. The new total agreement price will be \$2,739,314.99.

**ATTACHMENT**

Amendment No. 1 with Consor Engineers, LLC

**AGENDA ITEM FOR NOVEMBER 8, 2022**